

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
RASIEL FUSUGIO, *individually and on behalf of others* :  
*similarly situated,* :

Plaintiff, :

-v- :

COPPOLA'S TUSCAN GRILL, LLC, *doing business as* :  
*Coppola's East*, and SALVADOR COPPOLA, :

Defendants. :

21 Civ. 68 (JPC)

DEFAULT JUDGMENT

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JOHN P. CRONAN, United States District Judge:

Plaintiff Rasiel Fusugio filed this action on January 5, 2021. Dkt. 1. The summons and Complaint in this action having been duly served on Defendants Coppola's Tuscan Grill, LLC, *doing business as* Coppola's East, and Salvador Coppola and said Defendants having failed to plead or otherwise defend in this action, and failing to appear in person or by counsel after having been directed by the Court to so appear, and upon a hearing of Plaintiff's motion for default judgment having been held on June 24, 2021:

It is hereby ordered that Plaintiff's motion for default judgment is granted and Defendants are jointly and severally liable for judgment totaling \$176,347.97, consisting of:

\$75,622 in unpaid wages, overtime, and spread of hour payments;

\$11,539.97 in prejudgment interest for unpaid wages, overtime, and spread of hour payments;

\$75,622 in liquidated damages under the NYLL;

\$10,000 in statutory damages under the NYLL;

\$500 for expenses on tools of trade; and

\$3,064 for attorneys' fees and costs.


It is further ordered that Plaintiff be awarded post-judgment interest from the date judgment is entered until the date of payment, using the federal rate set forth in 28 U.S.C. § 1961; and

If any amounts awarded under the NYLL remain unpaid upon the expiration of ninety days following entry of judgment, or ninety days after expiration of the time to appeal and no appeal is then pending, whichever is later, those amounts shall automatically increase by fifteen percent, as provided by NYLL § 198(4).

The Clerk of the Court is respectfully directed to terminate this case.

SO ORDERED.

Dated: June 25, 2021  
New York, New York

  
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JOHN P. CRONAN  
United States District Judge